

Application No. 10/674,259 Attorney Docket No. 79439

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Applicants:               | Farris et al.                   | )     | CEI             | RTIFICATE OF MAILING   |
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| Appln No.:                | 10/674,259                      | )     | I hereby cer    | tify that this paper (along with any   |
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| Group Art Unit: Examiner: | 2131 Not yet assigned           | ) ) ) | 9/1/05<br>Date  | Kenneth H. Samples<br>Registration No. 25,747<br>Attorney for Applicant(s)   |
|                           |                                 | )     |                 |  |

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

#### INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is being submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56 in accordance with 37 C.F.R. §§1.97 - 1.98 in connection with the above-identified application.

Applicants respectfully request that the references cited herein and on the attached Form PTO/SB/08A be considered in the present application and listed on the face of any eventuating patent.

The following references were cited in the related co-pending European patent application no. EP 96 916 478.9-1238 and U.S. patent application no. 10/219,829.

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The above items are listed on the Form PTO/SB/08A which accompanies this Information Disclosure Statement. In accordance with 37 C.F.R. §1.98(a)(2), a copy of each listed foreign patent document and non-patent document is enclosed. German patent no. DE 42 04 463 corresponds to United Kingdom patent no. GB 2 254 461 a copy of which is provided because it is in English. A translation of WO 94/18036 is also provided.

In addition to the above listed references, the Applicants and the undersigned attorney wish to bring the following information to the Examiner's attention in connection with the examination of the above-captioned application. The following items are also listed on the Form PTO/SB/08A which accompany this Information Disclosure Statement. In accordance with 37 C.F.R. § 1.98(d), the references cited below are not being submitted along with this Information Disclosure Statement because each has been before the office in prior application no. 08/873,149, (the '149 application). Applicants will provide the Examiner with copies of the references upon request.

In the '149 application, a translation of foreign patent no. DE 32 34 538 A1 was provided, and information from an electronic database pertaining to patent nos. DE 32 34 539 A1, DE 33 09 802 A1, DE 33 20 721 A1, DE 33 09 802 C2, DE 34 07 469 A1, DE 35 32 156 A1, DE 36 36 822 C1, FR 2 606 232, and FR 2 607 544 was provided. Patent no. EP 0 103 790 corresponds to DE 32 34 538 A1, a translation of which was provided in the '149 application. Patent no. DE 32 44 049 A1 corresponds to GB 2 131 992 A. Patent no. DE 34 07 436 A1 corresponds to EP 0 154 019, and patent no. DE 34 07 469 A1 corresponds to EP 0 155 378. Patent no. DE 35 32 156 A1 corresponds to US 4,723,121, patent no. DE 36 36 822 C1 corresponds to US 4,847,614, patent no. FR 2 606 232 corresponds to US 4,922,533, and ZA 89 08 225 corresponds to US 5,103,221.

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Respectfully submitted, FITCH, EVEN, TABIN & FLANNERY

Dated: 4//

Kenneth H. Samples Registration No. 25,747

Fitch, Even, Tabin & Flannery 120 S. LaSalle St., Suite 1600 Chicago, Illinois 60603-3406 Telephone: (312) 577-7000

Facsimile: (312) 577-7007

SEP 0 6 2005 PTO/SB/08A Substitute 16/2000/10-1449 10/674,259 Application Number 37892 Filing Date First Named Inventor Farris et al. INFORMATION DISCLOSURE STATEMENT BY APPLICANT Art Unit 2131 (use as many sheets as necessary) Not Yet Assigned **Examiner Name** 

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| PTO/SB/                           | 08A                    |         |           | Application Number   | 10/674,259       |  |
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| Substitute for Form PTO-1449      |                        |         |           | Filing Date          | 37892            |  |
| IN                                | FORMATIO               | N DISCI | LOSURE    | First Named Inventor | Farris et al.    |  |
| ST                                | STATEMENT BY APPLICANT |         |           | Art Unit             | 2131             |  |
| (use as many sheets as necessary) |                        |         | ecessary) | Examiner Name        | Not Yet Assigned |  |
| Sheet                             | 5                      | of      | 26        | Attorney Docket      | 79439            |  |

|                       |              | OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS  |                |
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| Examiner<br>Initials* | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
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| Examiner<br>Signature | Date<br>Considered |  |
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|-----------------------------------|----------------|-------|--------|----------------------|------------------|
| Substitute                        | e for Form PTC | -1449 |        | Filing Date          | 37892            |
| IN                                | FORMATION      | DISC  | LOSURE | First Named Inventor | Farris et al.    |
| ST                                | ATEMENT B      | Y APP | LICANT | Art Unit             | 2131             |
| (use as many sheets as necessary) |                |       |        | Examiner Name        | Not Yet Assigned |
| Sheet                             | 6              | of    | 26     | Attorney Docket      | 79439            |

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| Examiner Cite |   | Document Number  Number-Kind Code <sup>2</sup> | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines<br>Where Relevant Passages<br>or Relevant Figures Appea |  |
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| Examiner  | Cite | Foreign Patent Document  | Publication Date | Name of Patentee or         | Pages, Columns, Lines                              |                |
| Initials* | No.1 | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> | MM-DD-YYYY       | Applicant of Cited Document | Where Relevant Passages or Relevant Figures Appear | Т <sup>6</sup> |
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|           |      | GB 2 184 774   | 07/01/87         | King                        |  |                |

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| PTO/SB/0                          | 08A                    |      |           | Application Number   | 10/674,259       |  |
|-----------------------------------|------------------------|------|-----------|----------------------|------------------|--|
| Substitute                        | for Form PTO-          | 1449 |           | Filing Date          | 37892            |  |
| IN                                | FORMATION              | DISC | LOSURE    | First Named Inventor | Farris et al.    |  |
| ST                                | STATEMENT BY APPLICANT |      |           | Art Unit             | 2131             |  |
| (use as many sheets as necessary) |                        |      | ecessary) | Examiner Name        | Not Yet Assigned |  |
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| Examiner  | Date       |  |
| Signature | Considered |  |

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|-----------------------------------|------------------------|----|-----------|----------------------|------------------|--|
| Substitute for Form PTO-1449      |                        |    |           | Filing Date          | 37892            |  |
| INFORMATION DISCLOSURE            |                        |    |           | First Named Inventor | Farris et al.    |  |
| ST                                | STATEMENT BY APPLICANT |    |           | Art Unit             | 2131             |  |
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| Sheet                             | 8                      | of | 26        | Attorney Docket      | 79439            |  |

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| Examiner Cite |      | Document Number               | Publication Date | Name of Patentee or         | Pages, Columns, Lines<br>Where Relevant Passages |
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| Initials* | No.1                     | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> | MM-DD-YYYY       | Applicant of Cited Document | or Relevant Figures Appear                       | Т° |  |
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| Substitute for Form PTO-1449      |                        |    |    | Filing Date          | 37892            |  |
| INFORMATION DISCLOSURE            |                        |    |    | First Named Inventor | Farris et al.    |  |
| ST                                | STATEMENT BY APPLICANT |    |    | Art Unit             | 2131             |  |
| (use as many sheets as necessary) |                        |    |    | Examiner Name        | Not Yet Assigned |  |
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| Examiner Cite Initials* No.  |  | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |  |  |
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| Examiner<br>Signature | Date<br>Considered |         |
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| Sheet                             | 10                     | of | 26      | Attorney Docket      | 79439            |  |

|                       |              |  | U.S. PATENT D               | OCUMENTS   |  |
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| Examiner<br>Initials* | Cite<br>No.1 | Document Number  Number-Kind Code <sup>2</sup> | Publication Date MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines<br>Where Relevant Passages<br>or Relevant Figures Appe |
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| Examiner  | Date       |             |
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional).

Applicant is to place a check mark here if English language Translation is attached.

| PTO/SB/0                          | 08A                    |    |           | Application Number   | 10/674,259       |
|-----------------------------------|------------------------|----|-----------|----------------------|------------------|
| Substitute for Form PTO-1449      |                        |    |           | Filing Date          | 37892            |
| INFORMATION DISCLOSURE            |                        |    |           | First Named Inventor | Farris et al.    |
| ST                                | STATEMENT BY APPLICANT |    |           | Art Unit             | 2131             |
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| Examiner              | Cite                          | Document Number | Publication Date            | Name of Patentee or       | Pages, Columns, Lines<br>Where Relevant Passages |  |  |
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| PTO/SB/0                          | 8A        |         | -     | Application Number   | 10/674,259       |  |
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| Substitute for Form PTO-1449      |           |         |       | Filing Date          | 37892            |  |
|                                   | FORMATION |         |       | First Named Inventor | Farris et al.    |  |
| ST.                               | ATEMENT F | BY APPL | ICANT | Art Unit             | 2131             |  |
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| Sheet                             | 13        | of      | 26    | Attorney Docket      | 79439            |  |

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| Examiner<br>Initials* | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |  |  |  |  |  |
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|-----------------------------------|------------------------|-----------------|----------|--------------------------------|---------------|--|
| Substitute for Form PTO-1449      |                        |                 |          | Filing Date                    | 37892         |  |
| IN                                | INFORMATION DISCLOSURE |                 |          | First Named Inventor           | Farris et al. |  |
| ST                                | ATEMENT                | BY APPL         | ICANT    | Art Unit                       | 2131          |  |
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| Sheet 14 of 26                    |                        | Attorney Docket | 79439    |                                |               |  |

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| intials               | 110.                  |  |                             |  | or Relevant Figures Appear   |  |  |
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| Examiner  | Cite                     | Foreign Patent Document  | Publication Date | Name of Patentee or         | Pages, Columns, Lines                                 | Τ                  |  |
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| PTO/SB/0                          |                        |                 |          | Application Number   | 10/674,259       |  |
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| Substitute for Form PTO-1449      |                        |                 |          | Filing Date          | 37892            |  |
| IN                                | INFORMATION DISCLOSURE |                 |          | First Named Inventor | Farris et al.    |  |
| ST                                | 'ATEMENT I             | BY APPI         | LICANT   | Art Unit             | 2131             |  |
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| Sheet 15 of 26                    |                        | Attorney Docket | 79439    |                      |                  |  |

|                       |              | OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS  |                |  |  |  |  |  |  |
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| Examiner<br>Initials* | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |  |  |  |  |  |  |
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| PTO/SB/                      |   |                 | <u>.</u> | Application Number   | 10/674,259       |  |
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| Substitute for Form PTO-1449 |   |                 |          | Filing Date          | 37892            |  |
| IN                           | INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) |                 |          | First Named Inventor | Farris et al.    |  |
| ST                           |   |                 |          | Art Unit             | 2131             |  |
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| Initials* | No.1                     | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> | MM-DD-YYYY       | Applicant of Cited Document | Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |  |  |
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| IN                                | FORMATION              | DISC | LOSURE    | First Named Inventor | Farris et al.    |
| ST                                | STATEMENT BY APPLICANT |      |           | Art Unit             | 2131             |
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| Sheet                             | 17                     | of   | 26        | Attorney Docket      | 79439            |

|                       |              | OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS  |                |
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| Examiner<br>Initials* | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
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| IN                                | FORMATIO | N DISCL         | OSURE    | First Named Inventor | Farris et al.    |
| ST                                | ATEMENT  | BY APPL         | ICANT    | Art Unit             | 2131             |
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| Sheet 18 of 26                    |          | Attorney Docket | 79439    |                      |                  |

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|-----------------------|--------------|--|-----------------------------|-----------------------------|--|
| Examiner<br>Initials* | Cite<br>No.1 | Document Number  Number-Kind Code <sup>2</sup> | Publication Date MM-DD-YYYY | Name of Patentee or         | Pages, Columns, Lines<br>Where Relevant Passages |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered. Include copy of this form with next communication to applicant.

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See Kind Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

| PTO/SB/                |               | ·         |           | Application Number   | 10/674,259       |  |
|------------------------|---------------|-----------|-----------|----------------------|------------------|--|
| Substitute             | e for Form PT | O-1449    |           | Filing Date          | 37892            |  |
| IN                     | FORMATIO      | N DISC    | LOSURE    | First Named Inventor | Farris et al.    |  |
| STATEMENT BY APPLICANT |               |           |           | Art Unit             | 2131             |  |
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| Substitute for Form PTO-1449      |                        |    |    | Filing Date          | 37892            |  |
| INFORMATION DISCLOSURE            |                        |    |    | First Named Inventor | Farris et al.    |  |
| ST                                | STATEMENT BY APPLICANT |    |    | Art Unit             | 2131             |  |
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

| PTO/SB/08A                        |                        |         |       | Application Number   | 10/674,259       |  |
|-----------------------------------|------------------------|---------|-------|----------------------|------------------|--|
| Substitute for Form PTO-1449      |                        |         |       | Filing Date          | 37892            |  |
| IN                                | FORMATIO               | N DISCL | OSURE | First Named Inventor | Farris et al.    |  |
| ST                                | STATEMENT BY APPLICANT |         |       | Art Unit             | 2131             |  |
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See Kind Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

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Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

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| PTO/SB/                           | 08A       |                 |        | Application Number   | 10/674,259       |  |
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| Substitute for Form PTO-1449      |           |                 |        | Filing Date          | 37892            |  |
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| Examiner<br>Initials*  | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>2</sup> |
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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|                                   |                        |      |        | Art Unit             | 2131             |  |
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